

Message Text

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PAGE 01 STATE 114273
ORIGIN L-03

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DRAFTED BY L/EB:SRBOND:BAS

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-----191605Z 084982 /47

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FM SECSTATE WASHDC

TO AMEMBASSY MANAMA

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E.O. 11652:N/A

TAGS: EFIN, BDIS, BA

SUBJECT: RTV BAHRAIN

REF: A) MANAMA 129 (FEB. 7, 1976), B) MANAMA 1116
(AUG. 5, 1976) AND PREVIOUS

1. ARTHUR LIPPER HAS APPROACHED DEPARTMENT IN EFFORT TO
OBTAIN ASSISTANCE IN RECOVERING FROM GOB SOME \$400,000 HE
ASSERTS IS DUE HIM AS CREDITOR OF RTV BAHRAIN, BEFORE ITS
BANKRUPTCY AND SUBSEQUENT SALE TO GOB.

2. DEPARTMENT RESPONDED TO LIPPER WITH LONG LIST OF
QUESTIONS TO BE ANSWERED BEFORE WE FULLY UNDERSTAND
FACTUAL SITUATION (DEPT RESPONSE BEING POUCHED TO YOU).
LIPPER HAS NOW RESPONDED TO SOME OF THE QUESTIONS WE RAISED
AND AT THIS POINT WE NEED INFORMATION AND VIEWS OF EMBASSY
ASAP ON FOLLOWING MATTERS:

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A) LIPPER CLAIMS THAT LEGAL PROCEEDINGS IN BAHRAIN WOULD
BE DIFFICULT TO UNDERTAKE BECAUSE OF "ONEROUS CONDITIONS"
IMPOSED ON SUCH PROCEEDINGS, INCLUDING REQUIREMENT THAT
PLAINTIFF DEPOSIT WITH COURT A LARGE PERCENTAGE OF TOTAL
AMOUNT SOUGHT TO BE RECOVERED, AND BECAUSE "THE PROCESSING
OF CLAIMS IS A DIFFICULT MATTER UNDER THE BAHRAINIAN LEGAL

SYSTEM". PLEASE ADVISE AS TO WHETHER DEPOSITS ARE INDEED REQUIRED AND, IF SO, IN WHAT AMOUNT, AND YOUR ASSESSMENT AS TO WHETHER LEGAL PROCEEDINGS ARE INDEED DIFFICULT TO CONDUCT.

B) REFTELS STATE THAT LIPPER DID NOT SUCCESSFULLY ESTABLISH ANY DIRECT CLAIM IN RTV ASSETS AND DID NOT ACTIVELY PURSUE CLAIM. PLEASE ADVISE AS TO WHETHER EMBASSY WOULD BE WILLING AND ABLE TO APPROACH APPROPRIATE PERSONS IN ORDER TO OBTAIN FULL EXPLANATION AS TO WHY LIPPER'S CLAIM WAS NOT VIEWED AS LEGALLY SUFFICIENT. WE WOULD LIKE TO TELL LIPPER THAT EMBASSY IS ENDEAVORING TO OBTAIN FACTUAL INFORMATION RELEVANT TO THE DEPARTMENT'S EVALUATION OF HIS REQUEST FOR ASSISTANCE.

C) WE HAVE ADVISED LIPPER THAT EVEN IF WE DO NOT FIND THAT GOB VIOLATED INTERNATIONAL LAW IN ITS TAKING OF RTV (AND OUR INFORMATION THUS FAR DOES NOT INDICATE ANY SUCH VIOLATION) WE MAY, RPT MAY BE ABLE TO APPROACH GOB ON HIS BEHALF. WE DO NOT YET HAVE SUFFICIENT INFORMATION UPON WHICH TO ASK EMBASSY TO APPROACH GOB (EXCEPT INSOFAR AS EMBASSY IS TO OBTAIN INFORMATION, PURSUANT TO PARA 2 B ABOVE) BUT WOULD APPRECIATE EMBASSY VIEWS ON POSSIBLE APPROACH TO GOB.

D) ANY INFORMATION RELEVANT TO LIPPER CLAIM WHICH EMBASSY LIMITED OFFICIAL USE

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BELIEVES TO BE ESPECIALLY USEFUL TO DEPARTMENT WOULD BE APPRECIATED, INCLUDING YOUR ASSESSMENT OF FAIRNESS OF LIQUIDATION PROCEDURES, AMOUNT DISTRIBUTED TO CREDITORS OF RTV AND THE PROCEDURE WHEREBY FLETCHER, THE LIQUIDATOR, TRANSFERRED RTV TO GOB.

3. WHILE EARLY RESPONSE TO ALL POINTS RAISED WOULD BE USEFUL, WE ESPECIALLY DESIRE RAPID RESPONSE TO MATTERS RAISED IN PARAS 2 A AND B ABOVE. CHRISTOPHER

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